



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBs0076/1
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 54**

March 15, 2001 - Offered by Representatives KEDZIE and JOHNSRUD.

1 **AN ACT to create** 281.163 of the statutes; **relating to:** discharges of dredged or
2 fill material into nonfederal wetlands.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 281.163 of the statutes is created to read:

4 **281.163 Prohibitions against discharges into nonfederal wetlands. (1)**

5 DEFINITIONS. In this section:

6 (a) "Nonfederal wetland" means a wetland to which the federal permitting
7 process under 33 USC 1344 does not apply due to the decision in Solid Waste Agency
8 of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1178 (U.S. Jan.
9 9, 2001) but to which such permitting process did apply on January 8, 2001.

10 (b) "Wetland" has the meaning given in s. 23.32 (1).

11 **(2) PROHIBITION.** No person may discharge dredged or fill material into a
12 nonfederal wetland.

